

IN RE: PETITIONS FOR SPECIAL HEARING & \* BEFORE THE  
ZONING VARIANCE  
SEC Gerard Avenue and York Road \* ZONING COMMISSIONER  
2111 York Road \* OF BALTIMORE COUNTY  
  
8th Election District \*  
4th Councilmanic District \* Case No. 96-7-SPHA  
Exxon Corporation \*  
Petitioner \*

\*\*\*\*\*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on Petitions for Special Hearing and Variance for the property located at 2111 York Road in Timonium. The Petitions are filed by Exxon Corporation, property owner, through Michael J. Specht, Project Engineer for that company. Special hearing relief is requested to amend the special exception granted in case No. 82-52-SPHA and to add a convenience store to the existing service station as an ancillary use. Several variances are requested. These are as follows:

1. Section 405.4.A.2 of the Baltimore County Zoning Regulations (BCZR) to permit a 5 ft. landscape transition area in lieu of the required 10 ft. along public right of way, and 1 ft. wide in lieu of the required 6 ft. along the side yard;

2. Section 405.4.A.2.B of the BCZR to permit an identification sign of 138.46 sq. ft. in lieu of the allowed 100 sq. ft. for both sides;

3. Section 405.4.A.2.a to permit a 10 ft. canopy setback in lieu of the required 16 ft. canopy setback;

4. Section 405.4.A.2.a to permit a 20 ft. pump island setback in lieu of the required 25 ft. pump island setback;

5. Section 405.4.A.2.a and 238.2 to permit a 23 ft. building setback in lieu of the required 35 ft. building setback;

6. Section 405.4.A.1 and 238.2 to permit an 18 ft. setback in lieu of a 30 ft. rear yard and side yard setback;

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

7. Section 405.4.A.1 and 405.4.D.2 to permit site area of 14,924 sq. ft. instead of the required 17,512 sq. ft.;

8. Section 405.4.A.3.C(2) to permit one less stacking space than required.

All of the subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the 4 page plat to accompany the Petitions for Special Hearing and Variance.

Appearing at the requisite public hearing was the aforementioned Michael Specht on behalf of Exxon Corporation. Also present was Timothy Whittie, the Civil Engineer who prepared the site plan. Andres Blackstone, the proprietor of the service station also was present in support of the request. The Petitioner was represented by G. Scott Barhight, Esquire. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject site is approximately .54 acres in area, zoned B.R.-A.S. The property is located at the southeast corner of the intersection of York Road (Md. Route 45) and Gerard Avenue. The site is situated within the highly commercial corridor of York Road which extends from Towson to Hunt Valley. The property is just south and across York Road from the Timonium State Fairgrounds. The property is presently the site of an Exxon gasoline station. Original approval for this use was granted within special exception case No. 82-52-SPHA. Reflecting the market trend, the corporate Petitioner desires to reconfigure and revitalize the site. Specifically, a Tiger Mart convenience store will be added to the rear of the property as shown on the site plan. This store will be 12 ft. in depth by approximately 52 ft. in width. The Tiger Mart building will be approximately 13 ft. high. Other improvements to the site are envisioned including new signage and replacement of an existing kiosk. All of the proposed improvements and subject property are detailed on the

RECEIVED

four page plat to accompany the Petitions for Special and Variances. That plan shows not only existing conditions but proposed improvements, as well as elevation drawings of the new buildings and signage. The plan also includes a preliminary landscape plan which depicts that the site will be re-landscaped.

Although no interested persons appeared at the hearing, comments were received from the member agencies of the Zoning Plans Advisory Committee. The Office of Planning and Zoning (OPZ), within their comment, indicates that the end result of the proposed improvements is a "well designed plan" which will enhance the existing site. I concur with OPZ's assessment. The Development Plan Review Division also commented favorably on the plan. One of the two entrances from York Road will be closed and the remaining entrance will be upgraded to meet State Highway Administration Standards. The Developer's Engineering Section also voiced support for several of the variances, particularly to permit a 5 ft. landscape transition area in lieu of the required 10 ft. along a public right of way and for a 1 ft. wide strip in lieu of the required 6 ft. along the side yard. Other comments from the reviewing agencies indicated support or no objection to the plan.

A granting of the Petition for Special Hearing affords the Petitioner with a real opportunity to improve an existing site along one of the County's busiest thoroughfares. It is clear that the Petition for Special Hearing should be granted and that the site plan approved in the original zoning case be modified. It is clear that not only will the improvements not be detrimental to the surrounding locale; to the contrary, they will constitute a real improvement to the existing site conditions.

As to the variances, they are warranted due to the uniqueness of the site, by virtue of its location at the intersection of Gerard Avenue and Md. Route 45. This is an existing station which has been in business many

ORDER RECEIVED FOR FILING

Date

By

9/22/94  
M. H. H. H.

years. Moreover, the Gerard Avenue/York Road intersection is not in the preferred cross configuration. Gerard Avenue intersects York Road at an angle less than 90 degrees, thereby reducing the useable area of the subject site. In my view, the Petitioner would suffer a practical difficulty based on these unique characteristics of the site if strict adherence to the variance regulations were required.

Based upon all of the testimony and evidence offered, as well as the ZAC comments, I am persuaded that the Petitioner has satisfied the provisions of Section 307.1 of the BCZR and the case law. Therefore, the Petitions for Special Hearing and Variance should be granted.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 22<sup>nd</sup> day of September 1995, that, pursuant to the Petition for Special Hearing, approval to amend the special exception granted in case No. 82-52-SPHA and to add a convenience store to the existing service station as an ancillary use, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 405.4.A.2 of the Baltimore County Zoning Regulations (BCZR) to permit a 5 ft. landscape transition area in lieu of the required 10 ft. along public right of way, and 1 ft. wide in lieu of the required 6 ft. along the side yard, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 405.4.A.2.B of the BCZR to permit an identification sign of 138.46 sq. ft. in lieu of the allowed 100 sq. ft. for both sides, be and is hereby GRANTED; and,

ORDER RECEIVED FOR FILING

Date

By

1995 SEP 22

IT IS FURTHER ORDERED that a variance from Section 405.4.A.2.a to permit a 10 ft. canopy setback in lieu of the required 16 ft. canopy setback, be and is hereby GRANTED; and,

IT IS HEREBY ORDERED that a variance from Section 405.4.A.2.a to permit a 20 ft. pump island setback in lieu of the required 25 ft. pump island setback, be and is hereby GRANTED; and,

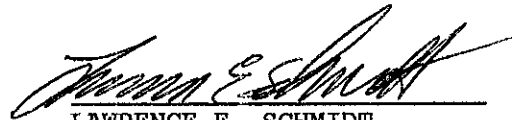
IT IS FURTHER ORDERED that a variance from Sections 405.4.A.2.a and 238.2 to permit a 23 ft. building setback in lieu of the required 35 ft. building setback, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 405.4.A.1 and 238.2 to permit an 18 ft. setback in lieu of a 30 ft. rear yard and side yard setback, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 405.4.A.1 and 405.4.D.2 to permit site area of 14,924 sq. ft. instead of the required 17,512 sq. ft. be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 405.4.A.3.C(2) to permit one less stacking space than required., be and is hereby GRANTED, subject, however to the following restriction, which are conditions precedent to the relief granted herein:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

  
LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

LES:mmn

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

September 21, 1995

G. Scott Barhight, Esquire  
Whiteford, Taylor and Preston  
210 W. Pennsylvania Avenue  
Towson, Maryland 21204

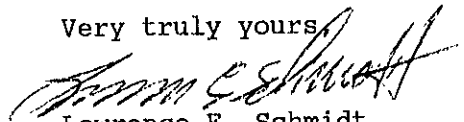
RE: Petitions for Special Hearing and Variance  
Exxon Corporation, Petitioner  
Case No. 96-7-SPHA  
Property: 2111 York Road

Dear Mr. Barhight:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing and Variances have been granted, with restriction.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours

  
Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn  
att.

cc: Mr. Michael Specht, 6301 Ivy Lane, Suite 700, Greenbelt, Md. 20770



# Petition for Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 2111 York Road

which is presently zoned BR-AS

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEE ATTACHMENT A

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

TO BE PRESENTED AT THE HEARING

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

G. Scott Barhight

(Type or Print Name)

Signature

Whiteford, Taylor & Preston  
210 W. Pennsylvania Avenue

Address

Phone No.

City

Towson, MD 21204

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Exxon Corporation

(Type or Print Name)

Signature

Michael J. Specht

(Type or Print Name)

Signature

6301 Ivy Lane, Suite 700 (301) 513-7511

Address

Phone No.

Greenbelt, MD 20770

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Whiteford, Taylor & Preston

Name 219 W. Pennsylvania Avenue

Towson, MD 21204 (410) 832-2000

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: R.T.

DATE

7-5-95

ITEM# 02



Printed with Soybean Ink  
on Recycled Paper

PETITION FOR VARIANCE**ATTACHMENT A**

A. 405.4.A.2.B to permit a five foot landscape transition area in lieu of the required ten feet along public right-of-way, and one (1) foot wide in lieu of the required six (6) feet along the side yard.

B. 405.4.A.2.B to permit an identification sign of 138.46 sq. ft. in lieu of the allowed 100 sq. ft. for both sides;

C. 405.4.A.2.a to permit a 10 ft. canopy set back in lieu of the required 15 ft. canopy set back;

D. 405.4.A.2.a to permit a 20 ft. pump island set back in lieu of required 25 ft. pump island set back; and

E. 405.4.A.2.a and 238.2 to permit a 23 ft. building set back in lieu of the required 35 ft. building set back; and

F. 405.4.A.1 and 238.2 to permit 18 ft. set back in lieu of a 30 ft. rear yard and side yard set back.

G. 405.4.A.1 and 405.4.D.2 to permit site area of 14,924 S.F. instead of the required 17,512 S.F.

H. 405.4.A.3.C(2) to permit one less stacking space than required.





# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2111 York Road

which is presently zoned BR-AS

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

1. Petition for Special Hearing to amend special exception case 82-52-SPHA to add a convenience store ancillary use.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

G. Scott Barhight

(Type or Print Name)

Signature G. Scott Barhight  
Whiteford, Taylor & Preston  
210 W. Pennsylvania Avenue

Address

Phone No.

Towson, MD 21204

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Exxon Corporation

(Type or Print Name)

Signature

M J SPECHT

Agent and Attorney in Fact

Michael J. Specht

(Type or Print Name)

Signature

M. J. SPECHT

Agent and Attorney in Fact

6301 Ivy Lane, Suite 700 (301) 513-7511

Address

Phone No.

Greenbelt, Maryland 20770

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Whiteford, Taylor & Preston

Name 210 W. Pennsylvania Avenue

Towson, MD 21204 (410) 832-2000

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates \_\_\_\_\_ Next Two Months

ALL \_\_\_\_\_ OTHER \_\_\_\_\_

REVIEWED BY: R.T. DATE 7-5-95



MICROFILMED



ITEM# 02



# Frederick Ward Associates, Inc.

ENGINEERS • ARCHITECTS • SURVEYORS

ITEM#02

November 21, 1994

BEGINNING at a point on the easterly side of York Road (MD Route 45) which is of variable width at 45 feet south of the centerline of Gerard Avenue which is 40 feet wide. Thence the following courses and distances: by a curve to the right having radius 18.88 feet and arc length of 35.13 feet, N.  $86^{\circ}22'32''$  E. 119.04 feet, S.  $18^{\circ}47'06''$  E. 90.55 feet, S.  $71^{\circ}12'54''$  W. 137.00 feet, by a curve to the left having radius 5775.70 feet and arc length of 102.99 feet to the place of beginning as recorded in Deed Liber EHK, Jr. 6429, folio 801.

CONTAINING 14924 square feet or 0.3426 acres of land. Also known as 2111 York Road and situated in the Eighth Election District.

*John V. W. [Signature]*  
11/21/94

*[Faint signature]*

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
**Towson, Maryland**

96-7-SPT117

District: 8th Date of Posting: 7/24/95  
Posted for: Special Hearing & Variances  
Petitioner: Exxon Corp. & M.T. Spack  
Location of property: 211 York Rd. - Gerons & York  
Location of Signs: Facing road way, on property being zoned  
Remarks: \_\_\_\_\_  
Posted by: [Signature] Date of return: 7/28/95  
Signature  
Number of Signs: 1



# NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland at 11:00 a.m. on Tuesday, August 6, 1996 at Room 108 of the County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204-4010.

Case #96-7-BPMA

(Item 2)

2111 York Road  
850 Gerard Avenue and  
York Road

8th Election District  
4th Councilmanic

Legal Owner(s):

Exxon Corporation and

Michael J. Specht

Hearing: Tuesday,

August 6, 1996 at 11:00

a.m. in Rm. 108, County Of-

fice Building

Special Hearing to amend special exception case #96-7-BPMA to add a convenience store and/or use. Variance to permit a 5-foot landscape transition area in lieu of the required 10 feet along public right-of-way and 1 foot wide in lieu of the required 6 feet along the side yard; to permit an identification sign of 135.46 square feet in lieu of the allowed 100 square feet for both sides; to permit a 10-foot canopy setback in lieu of the required 15 feet canopy setback; to permit a 20-foot pump island setback in lieu of the required 25 feet pump island setback; to permit a 25-foot building setback in lieu of the required 35 feet building setback; to permit 15 feet setback in lieu of a 30-foot rear yard and side yard setback; to permit site area of 14,924 square feet in lieu of the required 17,512 square feet; and to permit 1 less stacking space than required.

## CERTIFICATE OF PUBLICATION

TOWSON, MD.,

*July 21, 1996*

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on *July 20, 1996*

THE JEFFERSONIAN,

*A. Henickson*

LEGAL AD. - TOWSON

*Published*

*10/30/96 11:00 AM*

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. EM#02  
003600  
RIT

DATE 7-5-95 ACCOUNT R-001-6150

050- SP. EXCEPTION — \$ 300.00

020- VARIANCE — \$ 250.00

AMOUNT \$

080- SIGNATURE — \$ 70.00

RECEIVED

FROM:

TOTAL

\$ 620.00  
WHITFORD, TAYLOR & PRESTON

FOR:

EXON, Corp. (M.J. STECHT)

03A91#0348MICHR  
BA C01D:01AND7-05-95

\$620.00

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FIN. E - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No.

012806

DATE 11/15/95 ACCOUNT R-001-6150

AMOUNT \$ 40.00 (JLL & JLS)

RECEIVED

FROM:

David K. Gildoa  
Whitford, Taylor & Preston

FOR:

zoning verification  
# 710 Exon Station 211 York Rd.

03A91#0348MICHR

BA C009:22AM11-15-95

\$40.00

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

S.S.

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS AND PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

**PAYMENT WILL BE MADE AS FOLLOWS:**

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

  
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Case No.: \_\_\_\_\_ Item No.: 02

Petitioner: Exxon Corporation

LOCATION: 2111 York Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: David L. Gildea, Esq. Whiteford, Taylor + Preston

ADDRESS: 210 W. Pennsylvania Ave.  
Towson, MD. 21204

PHONE NUMBER: (410) 832-2066

AJ:ggs  
(Revised 3/29/93)

MICROFILMED



TO: PUTUXENT PUBLISHING COMPANY  
July 20, 1995 Issue - Jeffersonian

Please forward billing to:

David K. Gildea, Esq.  
Whiteford, Taylor & Preston  
210 W. Pennsylvania Avenue  
Towson, Maryland 21204  
832-2066

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### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-7-SPHA (Item 2)

2111 York Road

SEC Gerard Avenue and York Road

8th Election District - 4th Councilmanic

Legal Owner(s): Exxon Corporation and Michael J. Specht

HEARING: TUESDAY, AUGUST 8, 1995 at 11:00 a.m. in Room 106, County Office Building.

Special Hearing to amend special exception case #82-52-SPHA to add a convenience store ancillary use. Variance to permit a 5-foot landscape transition area in lieu of the required 10 feet along public right-of-way and 1 foot wide in lieu of the required 6 feet along the side yard; to permit an identification sign of 138.46 square feet in lieu of the allowed 100 square feet for both sides; to permit a 10-foot canopy setback in lieu of the required 15 feet canopy setback; to permit a 20-foot pump island setback in lieu of the required 25 feet pump island setback; to permit a 23-foot building setback in lieu of the required 35 feet building setback; to permit 18 feet setback in lieu of a 30-foot rear yard and side yard setback; to permit site area of 14,924 square feet instead of the required 17,512 square feet; and to permit 1 less stacking space than required.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

RECORDED

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

July 17, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-7-SPHA (Item 2)

2111 York Road

SEC Gerard Avenue and York Road

8th Election District - 4th Councilmanic

Legal Owner(s): Exxon Corporation and Michael J. Specht

HEARING: TUESDAY, AUGUST 8, 1995 at 11:00 a.m. in Room 106, County Office Building.

Special Hearing to amend special exception case #82-52-SPHA to add a convenience store ancillary use. Variance to permit a 5-foot landscape transition area in lieu of the required 10 feet along public right-of-way and 1 foot wide in lieu of the required 6 feet along the side yard; to permit an identification sign of 138.46 square feet in lieu of the allowed 100 square feet for both sides; to permit a 10-foot canopy setback in lieu of the required 15 feet canopy setback; to permit a 20-foot pump island setback in lieu of the required 25 feet pump island setback; to permit a 23-foot building setback in lieu of the required 35 feet building setback; to permit 18 feet setback in lieu of a 30-foot rear yard and side yard setback; to permit site area of 14,924 square feet instead of the required 17,512 square feet; and to permit 1 less stacking space than required.

A handwritten signature in cursive script, reading "Arnold Jahlon".

Arnold Jahlon

Director

Department of Permits and Development Management

cc: G. Scott Barhight, Esq.  
Exxon Corporation/Michael J. Specht

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED





Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

August 1, 1995

G. Scott Barhight  
Whiteford, Taylor & Preston  
210 W. Pennsylvania Avenue  
Towson, Maryland 21204

RE: Item No.: 02  
Case No.: 96-7-SPHA  
Petitioner: Exxon Corporation

Dear Mr. Barhight:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 5, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr.", is written over the word "Sincerely,".

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

MICROFILMED



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM

DATE: July 25, 1995

FROM: Pat Keller, Director, OPZ

SUBJECT: 2111 York Road

INFORMATION:

Item Number: 2

Petitioner: Exxon Corporation

Property Size: \_\_\_\_\_

Zoning: BR-AS

Requested Action: Special Hearing and Variance

Hearing Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

SUMMARY OF RECOMMENDATIONS:

Staff has met with representatives of the applicant at various times throughout the development of the plan accompanying the subject petition. The end result of these meetings is a well designed plan which, if approved, will enhance this existing automotive service station site. Therefore, the Office of Planning recommends that the applicant's request be granted.

Prepared by: Jeffrey M. Long

Division Chief: Gary L. Kerns

PK/JL

MICROFILMED

BALTIMORE COUNTY, MARYLAND  
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director      DATE: July 24, 1995  
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief  
Development Plans Review Division

RE: Zoning Advisory Committee Meeting  
for July 24, 1995  
Item No. 002

The Development Plans Review Division has reviewed the subject zoning item. York Road is a State Road. All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration, in addition to those of Baltimore County.

Gerard Avenue is an existing County road, which shall ultimately be improved as a 40-foot street cross-section on a 60-foot right-of-way.

The proposed entrance on Gerard Avenue shall be constructed per Dept. of Public Works' Standard Plate R-29, Road and Street Details.

This office supports the variance to permit a 5-foot landscape transition area in lieu of the required 10 feet along a public right-of-way, and 1 foot wide in lieu of the required 6 feet along the side yard.

RWB:sw

MICROFILMED

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/17/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: EXXON CORPORATION & MICHAEL J. SPECHT

LOCATION: SEC GERARD AVE. AND YORK RD. (2111 YORK RD.)

Item No.: 002

Zoning Agenda: SPECIAL HEARING/VARIANCE

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed on Recycled Paper



**Maryland Department of Transportation  
State Highway Administration**

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

July 19, 1995

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

RE: Baltimore County  
MD 45  
Exxon Company U.S.A.  
(east side) at  
2111 York Road  
Special Hearing  
and Variance request  
Item #002 (RT)  
Mile Post 5.20

Dear Ms. Watson:

This letter is in response to your request for our review of the plan for the referenced item.

In our previous review of the concept plan for the subject development, and in our July 28, 1994 letter to Mr. Donald Rascoe, Development Manager for Baltimore County, we indicated that certain improvements to the existing entrance onto MD 45 would be required by the State Highway Administration (SHA) as a condition of plan approval.

Our review of the current plan reveals that our previous comments have been addressed, therefore, we have no objection to approval of the requested special hearing and variance request as submitted.

However, as we had previously indicated in our letter, a complete hydraulic analysis will be required by the SHA for the proposed storm drain connection within MD 45, along with a review of the proposed plantings within SHA right-of-way by our Environmental Design Section.

Upon this development gaining final approval through the County's review process entrance construction shall be subject to the terms and conditions of an access permit issued by this office, with the following submittals required:

- a. Nine (9) copies of the site plan showing the SHA requirements.
- b. Completed application.

My telephone number is 410-333-1350 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

**Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717**  
**Street Address: 707 North Calvert Street • Baltimore, Maryland 21202**

*Handwritten signature/initials*

Ms. Joyce Watson  
Page Two  
July 19, 1995

- c. Performance bond, letter of credit, or certified check (**include Federal ID number or social security number on certified checks only**) in the amount of 150% of the actual entrance construction cost (to include the cost of relocating any affected utilities) and in an even thousand dollar increment. These must be made payable to the State of Maryland (**Please note that it takes 6-8 weeks for a certified check to be returned after project completion and SHA final inspection**).
- d. An engineering fee check in the amount of \$50.00 for each point of access, made payable to the State of Maryland.
- e. A letter of authorization from the appropriate agency relative to the relocation of any utilities which may be necessitated by this construction; or, a letter from the developer acknowledging and agreeing to the financial responsibility for relocating any affected utilities, provided the cost for the utility relocation is included in the surety submitted for the permit.

The surety for entrance construction must be received by this office prior to our approving any building permits for this development.

Should you have any questions, or require additional information, please contact Bob Small at 410-333-1350.

BS/es

OK//

Fri., 7/15


ASK Bob

Small about this

B-254928 \$

758

Very truly yours,



Ronald Burns, Chief  
Engineering Access Permits  
Division

MICROFILMED

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: July 18

FROM: DEPRM  
Development Coordination

SUBJECT: Zoning Advisory Committee  
Agenda: July 17, 1995

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

1  
2  
3  
4  
8

LS:sp

LETTY2/DEPRM/TXTSBP

NOT REFILED



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 22, 1995

G. Scott Barhight, Esquire  
Whiteford, Taylor, and Preston  
210 West Pennsylvania Avenue  
4th Floor  
Towson, MD 21204

RE: Preliminary Petition Review (Item #28)  
Legal Owner: Exxon Corporation  
800 Goucher Boulevard  
9th Election District

Dear Mr. Barhight:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

1. No title or authorization letter for Mr. Specht as signing for Exxon Corporation on petition forms.
2. No zone line locations are shown on the plan as listed in the zoning hearing checklist, #7. Therefore, compliance with Section 405/419 BCZR requirements concerning setback and buffer controls cannot be confirmed in this review. Be aware that any deficiencies from these requirements may require additional zoning public hearings.
  - A. Show and label a permanent stacking aisle striping on the plan.
  - B. Confirm how the 15-foot landscape transition area will comply with landscape manual requirements in light of the several foot drop along the apartment building lot boundary.

20000000



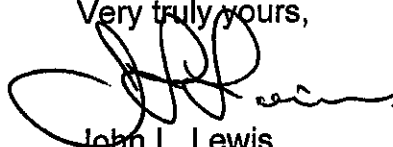


G. Scott Barhight, Esquire  
August 22, 1995  
Page 2

3. Some additional variances are:
  - A. Variance the conflict with on-site circulation patterns due to the 8-foot wide remaining 2-way aisle area where 20 feet is required (see Section 419.3.B).
  - B. Variance the required 50-foot setback for a car wash to a residential zoned property (per Section 419.4.A.1) and the 50-foot setback from the tunnel exit to the nearest exit drive (as applicable).
  - C. Variance general design standards (Section 419.4.B.1) tunnel facing residential zoned property.
4. Key all existing signs to the granted variances clearly showing compliance with the location, square footage, illumination, height, etc. as granted in the prior zoning hearings and clearly label all proposed signs and the above referenced information concerning size, etc. and confirm that no additional advertising square footage or numbers are being requested above that already variances. Otherwise, variance all signs in excess of the order and restriction.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,



John L. Lewis  
Planner II  
Zoning Review

JLL:scj

Enclosure (receipt)

c: Zoning Commissioner

MICROFILMED

# PETITION PROBLEMS AGENDA OF

## #1 --- JLL

1. No sign fee paid (see receipt).

## #2 --- RT

1. Receipt is for special exception (\$300); petition is for special hearing (\$250).  
-- Which one is correct?
2. Special hearing petition says to amend special exception case. Case number given (82-52-SPHA) is for special hearing and variance. What are they amending -- special hearing or a special exception?
3. Need authorization for person signing for legal owner.
4. Zoning on petition says B.R.-A.S.; folder says B.R.-C.N.S. Which one is correct?
5. Who signed for attorney? Do they have authorization?

## #3 --- JJS

1. No zoning on petition form.

## #5 --- JLL

1. Need authorization for person signing for lessee.
2. Who signed for attorney? Do they have authorization?

MICROFILMED

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR VARIANCE		
2111 York Road, SEC Gerard Ave. and York	*	ZONING COMMISSIONER
Rd, 8th Election Dist., 4th Councilmanic	*	
	*	OF BALTIMORE COUNTY
Exxon Corporation and Michael J. Specht	*	
Petitioners	*	CASE NO. 96-7-SPHA

\* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S Demilio*

CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of August, 1995, a copy of the foregoing Entry of Appearance was mailed to G. Scott Barhight, Esquire, Whiteford, Taylor & Preston, 210 W. Pennsylvania Avenue, Towson, MD 21204, attorney for Petitioners.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN

45550 JMD

WHITEFORD, TAYLOR & PRESTON  
L.L.P.

SEVEN SAINT PAUL STREET  
BALTIMORE, MARYLAND 21202-1626  
TELEPHONE 410 347-8700  
FAX 410 752-7092

210 WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204-4515  
410 832-2000  
FAX 410 832-2015

1025 CONNECTICUT AVENUE, NW  
WASHINGTON, D.C. 20036-5405  
TELEPHONE 202 659-6800  
FAX 202 331-0573

DAVID K. GILDEA  
DIRECT NUMBER  
410 832-2066

1317 KING STREET  
ALEXANDRIA, VIRGINIA 22314-2928  
TELEPHONE 703 836-5742  
FAX 703 836-0265

13  
November 6, 1995

Arnold Jablon, Director  
Office of Permits and Development Management  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Exxon Station at 2111 York Road  
Case No. 96-7-SPHA

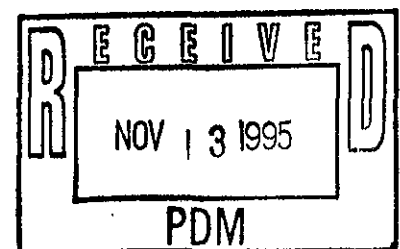
Dear Mr. Jablon:

The Zoning Commissioner granted a special exception for conversion of a full service station to a fuel service station and a convenience store on September 22, 1995 in the above-referenced case. The Zoning Commissioner also granted various variances, including a variance from section 405.4.A.2.A to allow a 10 ft. canopy setback in lieu of the required 15 ft. canopy setback.

It has come to the attention of Exxon that the canopy adopted in the special exception and variance plan extended one foot more than as shown on the plan. As shown on the enclosed red-lined plan, Exxon now is requesting to amend administratively the variance for the 10 ft canopy setback to a 9 ft canopy setback.

I have submitted the red-lined plan to review for their approval to:

1. Mr. E. Avery Harden of Development Engineering;
2. Mr. Rahee J. Famili of Development Engineering; and
3. Mr. Ervin McDaniel of the Office of Planning.



Arnold Jablon, Director

November 6, 1995

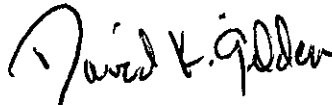
Page 2

All three gentlemen have reviewed the redlined plan and have signed off on the changes as indicated.

Exxon Corporation, by and through its undersigned counsel, hereby requests that the proposed 1' addition of the canopy to the previously approved plan at the above-referenced site be approved within the spirit and intent of Case No. 96-7-SPHA.

Please call me if there are any questions or comments.

Sincerely,



David K. Gildea

GSB:dmk

Enclosure

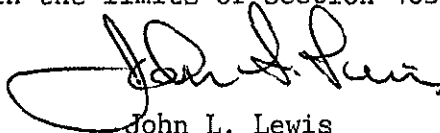
cc: Mr. Michael J. Specht  
Mr. Timothy Whittie  
G. Scott Barhight, Esquire

62738

8th Election District

November 17, 1995

This site existed as a fuel service station prior to January 27, 1994 and the requirements of Section 405.6 (BCZR) have been satisfied. The change in canopy setbacks as stated in your above correspondence is approved as being within the limits of Section 405.6 (BCZR).



John L. Lewis  
Planner II  
Zoning Review

JLL:scj

c: #96-7-SPHA

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

TIMOTHY Whittie

5 South Main St. P.O. Box 727

MICHAEL SPECHT

REL AIR, MD 21014

ANDRES BLACKSTONE

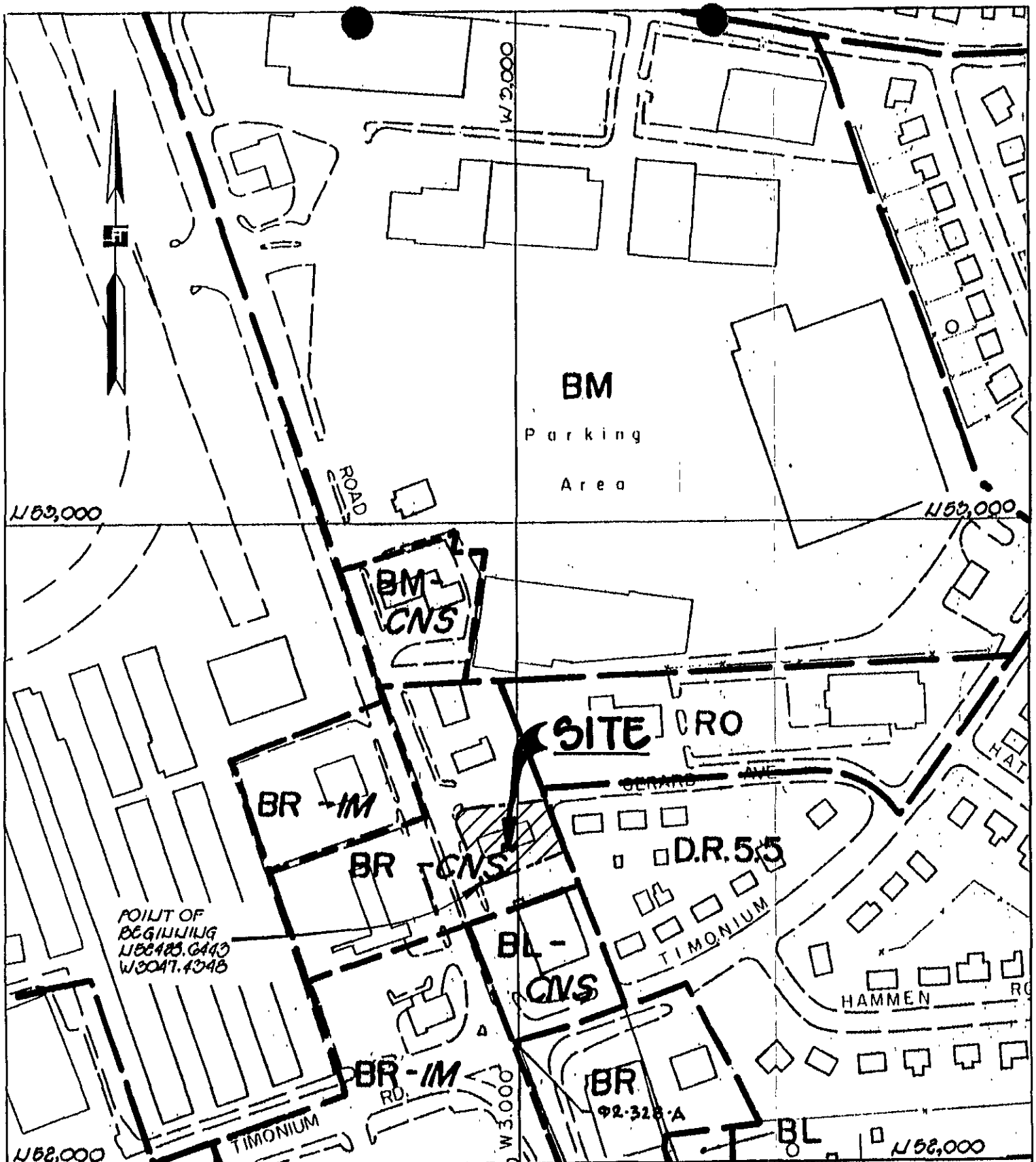
6301 MY LAKE, #702, GREENBELT, MD 20770

2111 YORK RT TIMONIAH, MD 21093



Printed with Soybean Ink  
on Recycled Paper

MICROFILMED



SCALE 1"=200'	DATE 11/17/94
DR. BY CB	CH. BY JBG
PLAT NO.	JOB NO. 93392

FREDERICK WARD ASSOCIATES, INC.



ENGINEERS-ARCHITECTS-SURVEYORS  
5 SOUTH MAIN STREET  
BEL AIR, MARYLAND 21014-0727  
(410)838-7900 (410)879-2090

**EXON**

ZONING  
MAP

LOCATION No. 2-5603  
2111 YORK ROAD  
TIMONIUM, MARYLAND 21093

ITEM # 02

IN RE: PETITIONS FOR SPECIAL HEARING & ZONING VARIANCE  
SEC Gerard Avenue and York Road  
2111 York Road  
8th Election District  
4th Councilmanic District  
Exxon Corporation  
Petitioner

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 96-7-SPHA

\*\*\*\*\*  
FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on Petitions for Special Hearing and Variance for the property located at 2111 York Road in Timonium. The Petitions are filed by Exxon Corporation, property owner, through Michael J. Specht, Project Engineer for that company. Special hearing relief is requested to amend the special exception granted in case No. 82-52-SPHA and to add a convenience store to the existing service station as an ancillary use. Several variances are requested. These are as follows:

1. Section 405.4.A.2 of the Baltimore County Zoning Regulations (BCZR) to permit a 5 ft. landscape transition area in lieu of the required 10 ft. along public right of way, and 1 ft. wide in lieu of the required 6 ft. along the side yard;
2. Section 405.4.A.2.B of the BCZR to permit an identification sign of 138.46 sq. ft. in lieu of the allowed 100 sq. ft. for both sides;
3. Section 405.4.A.2.a to permit a 10 ft. canopy setback in lieu of the required 16 ft. canopy setback;
4. Section 405.4.A.2.a to permit a 20 ft. pump island setback in lieu of the required 25 ft. pump island setback;
5. Section 405.4.A.2.a and 238.2 to permit a 23 ft. building setback in lieu of the required 35 ft. building setback;
6. Section 405.4.A.1 and 238.2 to permit an 18 ft. setback in lieu of a 30 ft. rear yard and side yard setback;

7. Section 405.4.A.1 and 405.4.D.2 to permit site area of 14,924 sq. ft. instead of the required 17,512 sq. ft.;

8. Section 405.4.A.3.C(2) to permit one less stacking space than required.

All of the subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the 4 page plat to accompany the Petitions for Special Hearing and Variance.

Appearing at the requisite public hearing was the aforementioned Michael Specht on behalf of Exxon Corporation. Also present was Timothy Whittle, the Civil Engineer who prepared the site plan. Andres Blackstone, the proprietor of the service station also was present in support of the request. The Petitioner was represented by G. Scott Barhight, Esquire. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject site is approximately .54 acres in area, zoned B.R.-A.S. The property is located at the southeast corner of the intersection of York Road (Md. Route 45) and Gerard Avenue. The site is situated within the highly commercial corridor of York Road which extends from Towson to Hunt Valley. The property is just south and across York Road from the Timonium State Fairgrounds. The property is presently the site of an Exxon gasoline station. Original approval for this use was granted within special exception case No. 82-52-SPHA. Reflecting the market trend, the corporate Petitioner desires to reconfigure and revitalize the site. Specifically, a Tiger Mart convenience store will be added to the rear of the property as shown on the site plan. This store will be 12 ft. in depth by approximately 52 ft. in width. The Tiger Mart building will be approximately 13 ft. high. Other improvements to the site are envisioned including new signage and replacement of an existing kiosk. All of the proposed improvements and subject property are detailed on the

-2-

four page plat to accompany the Petitions for Special and Variances. That plan shows not only existing conditions but proposed improvements, as well as elevation drawings of the new buildings and signage. The plan also includes a preliminary landscape plan which depicts that the site will be re-landscaped.

Although no interested persons appeared at the hearing, comments were received from the member agencies of the Zoning Plans Advisory Committee. The Office of Planning and Zoning (OPZ), within their comment, indicates that the end result of the proposed improvements is a "well designed plan" which will enhance the existing site. I concur with OPZ's assessment. The Development Plan Review Division also commented favorably on the plan. One of the two entrances from York Road will be closed and the remaining entrance will be upgraded to meet State Highway Administration Standards. The Developer's Engineering Section also voiced support for several of the variances, particularly to permit a 5 ft. landscape transition area in lieu of the required 10 ft. along a public right of way and for a 1 ft. wide strip in lieu of the required 6 ft. along the side yard. Other comments from the reviewing agencies indicated support or no objection to the plan.

A granting of the Petition for Special Hearing affords the Petitioner with a real opportunity to improve an existing site along one of the County's busiest thoroughfares. It is clear that the Petition for Special Hearing should be granted and that the site plan approved in the original zoning case be modified. It is clear that not only will the improvements not be detrimental to the surrounding locale; to the contrary, they will constitute a real improvement to the existing site conditions.

As to the variances, they are warranted due to the uniqueness of the site, by virtue of its location at the intersection of Gerard Avenue and Md. Route 45. This is an existing station which has been in business many

-3-

years. Moreover, the Gerard Avenue/York Road intersection is not in the preferred cross configuration. Gerard Avenue intersects York Road at an angle less than 90 degrees, thereby reducing the useable area of the subject site. In my view, the Petitioner would suffer a practical difficulty based on these unique characteristics of the site if strict adherence to the variance regulations were required.

Based upon all of the testimony and evidence offered, as well as the ZAC comments, I am persuaded that the Petitioner has satisfied the provisions of Section 307.1 of the BCZR and the case law. Therefore, the Petitions for Special Hearing and Variance should be granted.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 22<sup>nd</sup> day of September 1995, that, pursuant to the Petition for Special Hearing, approval to amend the special exception granted in case No. 82-52-SPHA and to add a convenience store to the existing service station as an ancillary use, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 405.4.A.2 of the Baltimore County Zoning Regulations (BCZR) to permit a 5 ft. landscape transition area in lieu of the required 10 ft. along public right of way, and 1 ft. wide in lieu of the required 6 ft. along the side yard, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 405.4.A.2.B of the BCZR to permit an identification sign of 138.46 sq. ft. in lieu of the allowed 100 sq. ft. for both sides, be and is hereby GRANTED; and,

-4-

IT IS FURTHER ORDERED that a variance from Section 405.4.A.2.a to permit a 10 ft. canopy setback in lieu of the required 16 ft. canopy setback, be and is hereby GRANTED; and,

IT IS HEREBY ORDERED that a variance from Section 405.4.A.2.a to permit a 20 ft. pump island setback in lieu of the required 25 ft. pump island setback, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Sections 405.4.A.2.a and 238.2 to permit a 23 ft. building setback in lieu of the required 35 ft. building setback, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 405.4.A.1 and 238.2 to permit an 18 ft. setback in lieu of a 30 ft. rear yard and side yard setback, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 405.4.A.1 and 405.4.D.2 to permit site area of 14,924 sq. ft. instead of the required 17,512 sq. ft. be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 405.4.A.3.C(2) to permit one less stacking space than required, be and is hereby GRANTED, subject, however to the following restriction, which are conditions precedent to the relief granted herein:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

*Lawrence E. Schmidt*  
LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

LES:mmm

-5-

Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

September 21, 1995

G. Scott Barhight, Esquire  
Whiteford, Taylor and Preston  
210 W. Pennsylvania Avenue  
Towson, Maryland 21204

RE: Petitions for Special Hearing and Variance  
Exxon Corporation, Petitioner  
Case No. 96-7-SPHA  
Property: 2111 York Road

Dear Mr. Barhight:

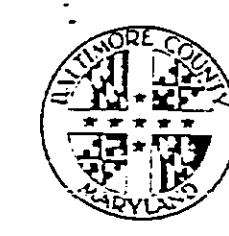
Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing and Variances have been granted, with restriction.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,  
*Lawrence E. Schmidt*  
Lawrence E. Schmidt  
Zoning Commissioner

LES:mmm  
att.  
cc: Mr. Michael Specht, 6301 Ivy Lane, Suite 700, Greenbelt, Md. 20776

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



## Petition for Variance

to the Zoning Commissioner of Baltimore County  
for the property located at 2111 York Road  
which is presently zoned BR-AS

This Petition shall be filed with the Office of Zoning Administration & Development Management.  
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEE ATTACHMENT A

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

TO BE PRESENTED AT THE HEARING

Property is to be posted and advertised as prescribed by Zoning Regulations.  
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessor:  
Type or Print Name  
Signature  
Address  
City State Zip  
Attorney for Petitioner:  
Type or Print Name  
Signature  
Address  
City State Zip  
G. Scott Barhight  
Whiteford, Taylor & Preston  
210 W. Pennsylvania Avenue  
TOWSON, MD 21204

We do solemnly declare and affirm, under the penalties of perjury, that you are the legal owner(s) of the property which is the subject of this Petition.  
Legal Owner(s):  
Exxon Corporation  
Type or Print Name  
Signature  
M J SPECHT  
Agent and Attorney in Fact  
Type or Print Name  
Signature  
M J SPECHT  
Agent and Attorney in Fact  
Address  
6301 Ivy Lane, Suite 700 (301) 513-7511  
Greenbelt, MD 20770  
City State Zip  
Phone No.  
Whiteford, Taylor & Preston  
210 W. Pennsylvania Avenue  
TOWSON, MD 21204 (410) 832-2000  
City State Zip Phone No.

ESTIMATED LENGTH OF HEARING  
The following date: \_\_\_\_\_  
ALL OTHER: \_\_\_\_\_  
REVIEWED BY: R.T. DATE: 7-5-95

ITEM # 02

## PETITION FOR VARIANCE

ATTACHMENT A

- A. 405.4.A.2.B to permit a five foot landscape transition area in lieu of the required ten feet along public right-of-way, and one (1) foot wide in lieu of the required six (6) feet along the side yard.
- B. 405.4.A.2.B to permit an identification sign of 138.46 sq. ft. in lieu of the allowed 100 sq. ft. for both sides;
- C. 405.4.A.2.a to permit a 10 ft. canopy set back in lieu of the required 15 ft. canopy set back;
- D. 405.4.A.2.a to permit a 20 ft. pump island set back in lieu of required 25 ft. pump island set back; and
- E. 405.4.A.2.a and 238.2 to permit a 23 ft. building set back in lieu of the required 35 ft building set back; and
- F. 405.4.A.1 and 238.2 to permit 18 ft. set back in lieu of a 30 ft. rear yard and side yard set back.
- G. 405.4.A.1 and 405.4.D.2 to permit site area of 14,924 S.F. instead of the required 17,512 S.F.
- H. 405.4.A.3.C(2) to permit one less stacking space than required.

49363





# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2111 York Road  
which is presently zoned BR-AS

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 502.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve:

1. petition for Special Hearing to amend special exception case 82-52-SPHA to add a convenience store ancillary use.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Corrected Petitioner/Letter:

(Type or Print Name)

Signature

Address

City State Zipcode

Agency for Petitioner:

G. Scott Barhight

(Type or Print Name)

Signature

Address

City State Zipcode

Who do you agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Legal Owner(s):

Boxon Corporation

(Type or Print Name)

Signature

Address

City State Zipcode

Agency for Petitioner:

G. Scott Barhight

(Type or Print Name)

Signature

Address

City State Zipcode

Whiteford, Taylor & Preston

Name 210 W. Pennsylvania Avenue

Towson, MD 21204 (410) 832-2000

Address

City State Zipcode

OFFICIAL USE ONLY

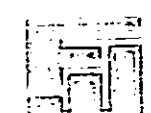
ESTIMATED LENGTH OF HEARING

Next Two Months

ALL OTHER

REVIEWED BY: R.T. DATE: 7-5-95

ITEM # 02



Frederick Ward Associates, Inc.  
ENGINEERS ARCHITECTS SURVEYORS

ITEM #02

November 21, 1994

BEGINNING at a point on the easterly side of York Road (MD Route 45) which is of variable width at 45 feet south of the centerline of Gerard Avenue which is 40 feet wide. Thence the following courses and distances: by a curve to the right having radius 18.88 feet and arc length of 35.13 feet, N. 86°22'32" E. 119.04 feet, S. 18°47'06" E. 90.55 feet, S. 71°12'54" W. 137.00 feet, by a curve to the left having radius 5775.70 feet and arc length of 102.99 feet to the place of beginning as recorded in Deed Liber EHK, Jr. 6429, folio 801.

CONTAINING 14924 square feet or 0.3426 acres of land. Also known as 2111 York Road and situated in the Eighth Election District.

*John V. Specht*  
11/21/94

## CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: *PH* Date of Posting: *7/4/95*

Posted for: *Special Hearing to Amend*

Petitioner: *Exxon Corporation/ Michael J. Specht*

Location of property: *2111 York Rd - Towson, Md*

Location of Sign: *Posting - 2111 York Rd - Towson, Md*

Remarks:

Posted by: *Michael J. Specht* Date of return: *7/5/95*

Number of Signs: *1*

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case: 96-7-SPHA  
2111 York Road  
SEC Gerard Avenue and York Road  
8th Election District - 4th Councilmanic  
Legal Owner(s): Exxon Corporation and Michael J. Specht  
HEARING: TUESDAY, AUGUST 8, 1995 at 11:00 a.m. in Room 106, County Office Building.

Special Hearing to amend special exception case 82-52-SPHA to add a convenience store ancillary use. Variance to permit a 5-foot landscape transition area in lieu of the required 10 feet along public right-of-way and 1 foot wide in lieu of the required 6 feet along the side yard; to permit a 10-foot canopy setback in lieu of the required 15 feet canopy setback; to permit a 20-foot ramp island setback in lieu of the required 25 feet ramp island setback; to permit a 20-foot building setback in lieu of the required 35 feet building setback; to permit 18 feet setback in lieu of a 30-foot rear yard and side yard setback; to permit site area of 14,924 square feet instead of the required 17,512 square feet; and to permit 1 less stacking space than required.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are held on Wednesdays by order of the Zoning Commission. Please call 887-3353 for information concerning the file and/or hearing, please call 887-3391.

## CERTIFICATE OF PUBLICATION

TOWSON, MD.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on *July 21, 1995*

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

## ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS AND PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

*Arnold Jablon*  
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Case No.: Item No.: *02*

Petitioner: *Exxon Corporation*

LOCATION: *2111 York Road*

PLEASE FORWARD ADVERTISING BILL TO:

NAME: *David E. Gibbs, Esq.* *Whiteford, Taylor & Preston*

ADDRESS: *210 W. Pennsylvania Ave.*

*Towson, MD 21204*

PHONE NUMBER: *(410) 832-1066*

AJ:ggg  
(Revised 3/29/93)

TO: POTENTIAL PUBLISHING COMPANY  
July 20, 1995 Issue - Jeffersonian

Please forward billing to:

David E. Gibbs, Esq.  
Whiteford, Taylor & Preston  
210 W. Pennsylvania Avenue  
Towson, Maryland 21204  
832-2066

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-7-SPHA (Item 2)

2111 York Road

SEC Gerard Avenue and York Road

8th Election District - 4th Councilmanic

Legal Owner(s): Exxon Corporation and Michael J. Specht

HEARING: TUESDAY, AUGUST 8, 1995 at 11:00 a.m. in Room 106, County Office Building.

Special Hearing to amend special exception case 82-52-SPHA to add a convenience store ancillary use. Variance to permit a 5-foot landscape transition area in lieu of the required 10 feet along public right-of-way and 1 foot wide in lieu of the required 6 feet along the side yard; to permit an identification sign of 138.46 square feet in lieu of the required 100 square feet for both sides; to permit a 10-foot canopy setback in lieu of the required 15 feet canopy setback; to permit a 20-foot ramp island setback in lieu of the required 25 feet ramp island setback; to permit a 20-foot building setback in lieu of the required 35 feet building setback; to permit 18 feet setback in lieu of a 30-foot rear yard and side yard setback; to permit site area of 14,924 square feet instead of the required 17,512 square feet; and to permit 1 less stacking space than required.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

## NOTICE OF HEARING

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Arnold Jablon  
Director

Department of Permits and Development Management

cc: G. Scott Barhight, Esq.

Exxon Corporation/Michael J. Specht

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE. (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

August 1, 1995

G. Scott Barhight  
Whiteford, Taylor & Preston  
210 W. Pennsylvania Avenue  
Towson, Maryland 21204

RE: Item No.: 02  
Case No.: 96-7-SPHA  
Petitioner: Exxon Corporation

Dear Mr. Barhight:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 5, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,  
*W. Carl Richards, Jr.*  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM DATE: July 25, 1995  
FROM: Pat Keller, Director, OPZ  
SUBJECT: 2111 York Road

INFORMATION:

Item Number: 2  
Petitioner: Exxon Corporation  
Property Size: \_\_\_\_\_  
Zoning: BR-AS  
Requested Action: Special Hearing and Variance  
Hearing Date: \_\_\_\_\_

SUMMARY OF RECOMMENDATIONS:

Staff has met with representatives of the applicant at various times throughout the development of the plan accompanying the subject petition. The end result of these meetings is a well designed plan which, if approved, will enhance this existing automotive service station site. Therefore, the Office of Planning recommends that the applicant's request be granted.

Prepared by: *Jeffrey M. Fink*  
Division Chief: *Carol L. Kern*  
PK/JL

ITEM2/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: July 24, 1995  
Zoning Administration and Development Management  
FROM: Robert W. Bowling, P.E., Chief  
Development Plans Review Division  
RE: Zoning Advisory Committee Meeting  
for July 24, 1995  
Item No. 002

The Development Plans Review Division has reviewed the subject zoning item. York Road is a State Road. All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration, in addition to those of Baltimore County.

Gerard Avenue is an existing County road, which shall ultimately be improved as a 40-foot street cross-section on a 60-foot right-of-way.

The proposed entrance on Gerard Avenue shall be constructed per Dept. of Public Works' Standard Plate R-29, Road and Street Details.

This office supports the variance to permit a 5-foot landscape transition area in lieu of the required 10 feet along a public right-of-way, and 1 foot wide in lieu of the required 6 feet along the side yard.

RWB:sw

Baltimore County Government  
Fire Department

700 East Joppa Road, Suite 901  
Towson, MD 21286-5500

(410) 887-1500

DATE: 07/17/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: EXXON CORPORATION & MICHAEL J. SPECHT

LOCATION: SEC GERARD AVE. AND YORK RD. (2111 YORK RD.)

Item No.: 002 Zoning Agenda: SPECIAL HEARING/VARIANCE

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File  
cc: [unclear]



Maryland Department of Transportation  
State Highway Administration

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

July 19, 1995

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

RE: Baltimore County  
MD 45  
Exxon Company U.S.A.  
(east side) at  
2111 York Road  
Special Hearing  
and Variance request  
Item #002 (RT)  
Mile-Post 5.20

Dear Ms. Watson:

This letter is in response to your request for our review of the plan for the referenced item.

In our previous review of the concept plan for the subject development, and in our July 28, 1994 letter to Mr. Donald Rascoe, Development Manager for Baltimore County, we indicated that certain improvements to the existing entrance onto MD 45 would be required by the State Highway Administration (SHA) as a condition of plan approval.

Our review of the current plan reveals that our previous comments have been addressed, therefore, we have no objection to approval of the requested special hearing and variance request as submitted.

However, as we had previously indicated in our letter, a complete hydraulic analysis will be required by the SHA for the proposed storm drain connection within MD 45, along with a review of the proposed plantings within SHA right-of-way by our Environmental Design Section.

Upon this development gaining final approval through the County's review process entrance construction shall be subject to the terms and conditions of an access permit issued by this office, with the following submittals required:

- Nine (9) copies of the site plan showing the SHA requirements.
- Completed application.

My telephone number is 410-333-1350 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Ms. Joyce Watson  
Page Two  
July 19, 1995

- Performance bond, letter of credit, or certified check (include Federal ID number or social security number on certified checks only) in the amount of 150% of the actual entrance construction cost (to include the cost of relocating any affected utilities) and in an even thousand dollar increment. These must be made payable to the State of Maryland (Please note that it takes 6-8 weeks for a certified check to be returned after project completion and SHA final inspection).
- An engineering fee check in the amount of \$50.00 for each point of access, made payable to the State of Maryland.
- A letter of authorization from the appropriate agency relative to the relocation of any utilities which may be necessitated by this construction; or, a letter from the developer acknowledging and agreeing to the financial responsibility for relocating any affected utilities, provided the cost for the utility relocation is included in the surety submitted for the permit.

The surety for entrance construction must be received by this office prior to our approving any building permits for this development.

Should you have any questions, or require additional information, please contact Bob Small at 410-333-1350.

Very truly yours,

*Ronald Burns*  
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: ZADM DATE: July 18  
FROM: DEPRM  
Development Coordination  
SUBJECT: Zoning Advisory Committee  
Agenda: July 17, 1995

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

Item #'s: 1  
2  
3  
4  
8

LS:sp

LETTY2/DEPRM/TXTSP



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 22, 1995

G. Scott Barhight, Esquire  
Whiteford, Taylor, and Preston  
210 West Pennsylvania Avenue  
4th Floor  
Towson, MD 21204

RE: Preliminary Petition Review (Item #28)  
Legal Owner: Exxon Corporation  
800 Goucher Boulevard  
9th Election District

Dear Mr. Barhight:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

- No title or authorization letter for Mr. Specht as signing for Exxon Corporation on petition forms.
- No zone line locations are shown on the plan as listed in the zoning hearing checklist, #7. Therefore, compliance with Section 405.415 BCR requirements concerning setback and buffer controls cannot be confirmed in this review. Be aware that any deficiencies from these requirements may require additional zoning public hearings.
  - Show and label a permanent parking aisle striping on the plan.
  - Confirm how the 15-foot landscape transition area will comply with landscape manual requirements in light of the several foot drop along the apartment building lot boundary.

G. Scott Barhight, Esquire  
August 22, 1995  
Page 2

3. Some additional variances are:

- Variance the conflict with on-site circulation patterns due to the 8-foot wide remaining 2-way aisle area where 20 feet is required (see Section 419.3.B).
- Variance the required 50-foot setback for a car wash to a residential zoned property (per Section 419.4.A.1) and the 50-foot setback from the tunnel exit to the nearest exit drive (as applicable).
- Variance general design standards (Section 419.4.B.1) tunnel facing residential zoned property.
- Key all existing signs to the granted variances clearly showing compliance with the location, square footage, illumination, height, etc. as granted in the prior zoning hearings and clearly label all proposed signs and the above referenced information concerning size, etc. and confirm that no additional advertising square footage or numbers are being requested above that already variances. Otherwise, variance all signs in excess of the order and restriction.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

*John L. Lewis*  
John L. Lewis  
Planner II  
Zoning Review

JLL:scj

Enclosure (receipt)

cc: Zoning Commissioner

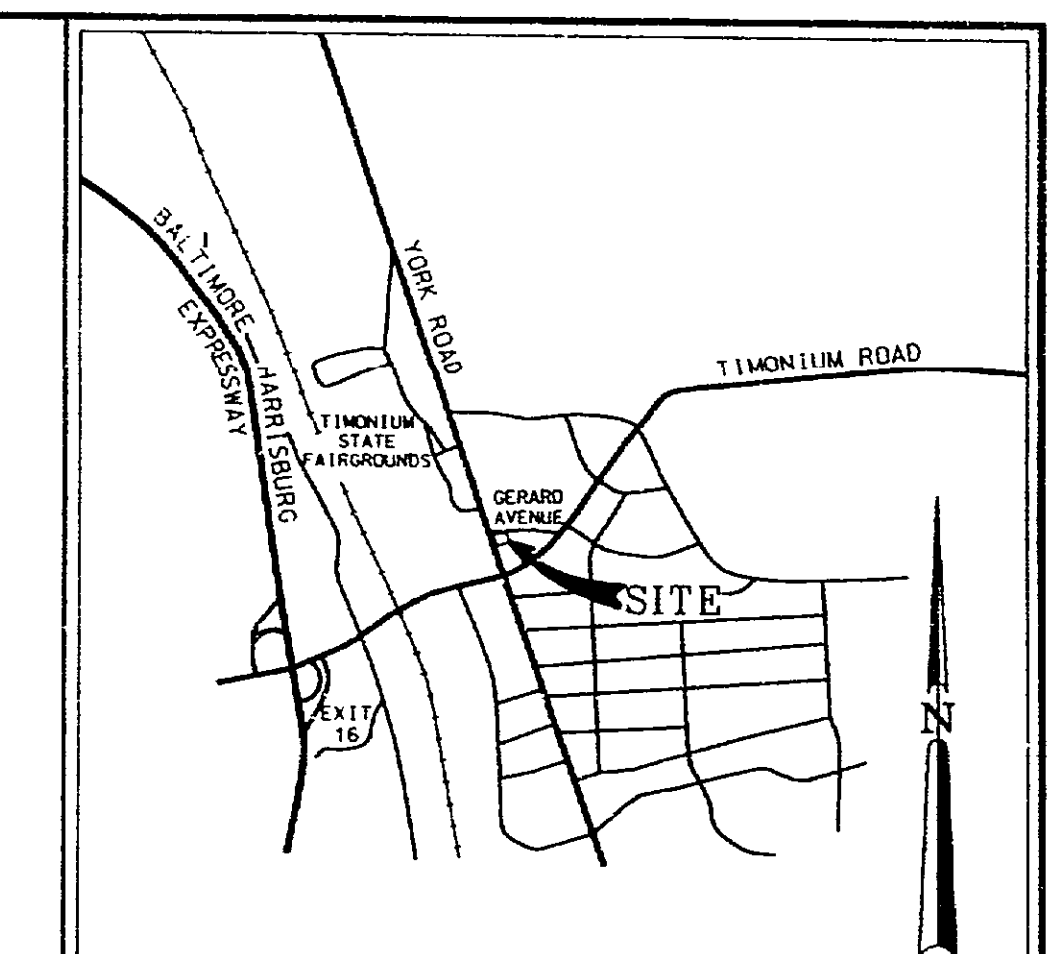
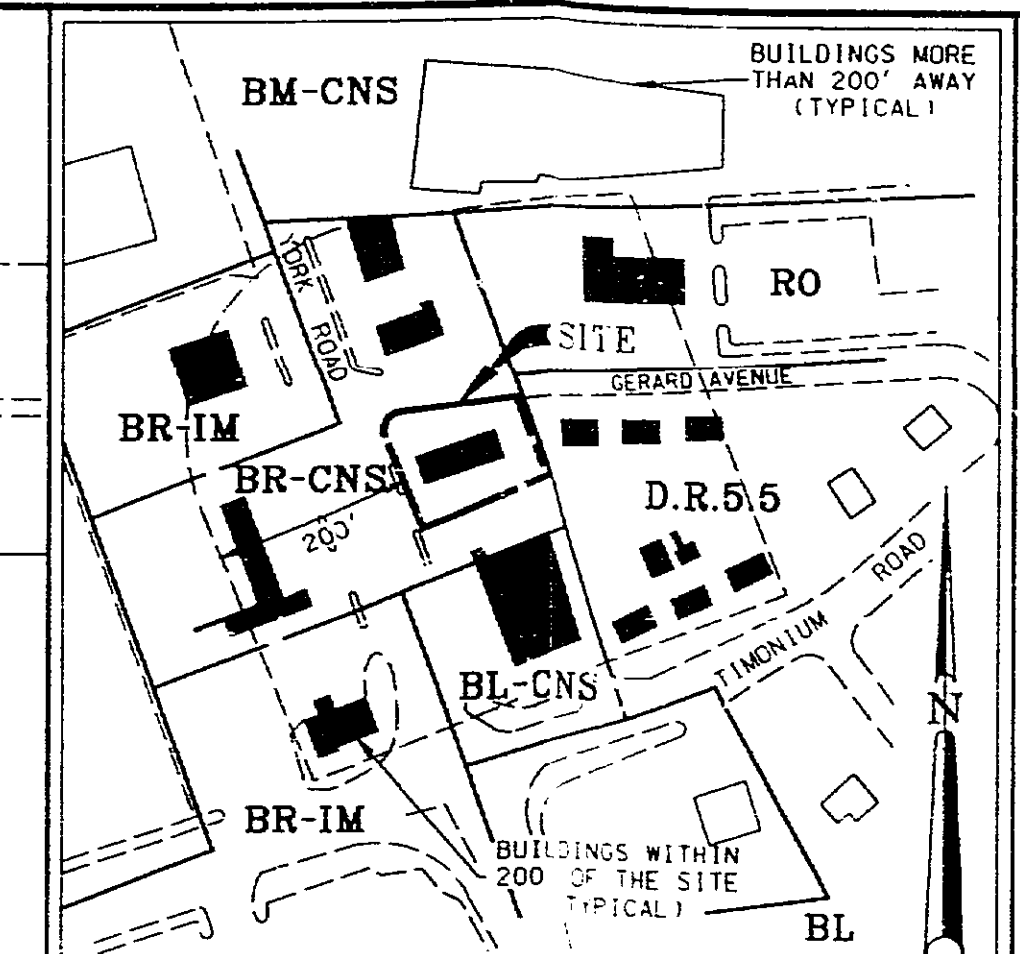
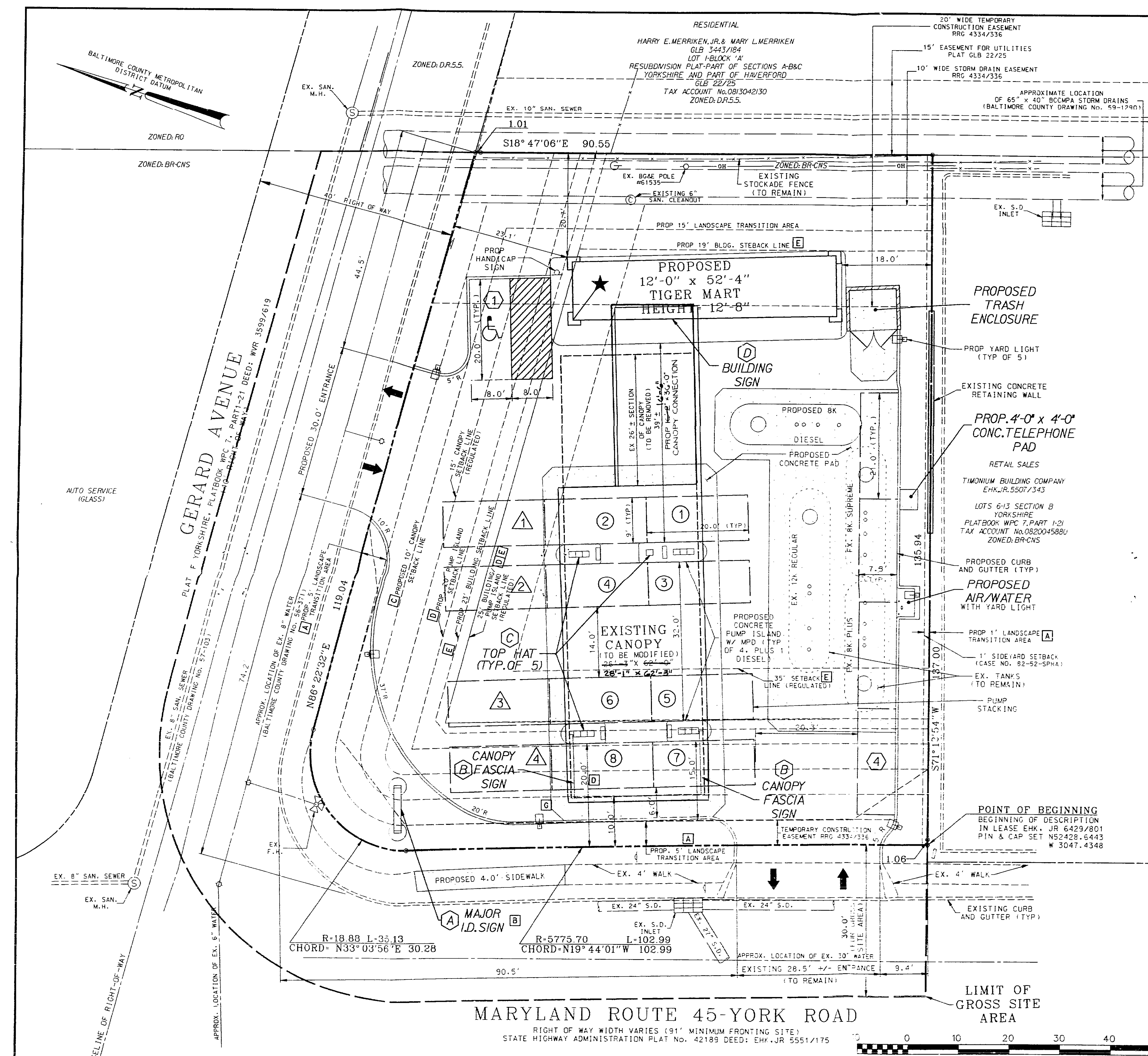


ITEM # 02









**ZONING AND LOCATION MAP**  
SCALE: 1" = 200'

**VICINITY MAP**  
SCALE: 1" = 2000'

**SITE INFORMATION**

- GROSS SITE AREA: 23,360 SQ. FT. = 0.5363 ACRES
- NET LOT SIZE: 14,924 SQ. FT. = 0.3426 ACRES
- FLOOR AREA: CONVENIENCE STORE = 628 SQ. FT.
- FLOOR AREA RATIO: 628/14,924 = 0.04200 (ALLOWED = 2.0)
- TAX ACCOUNT NUMBER: 08-16-0767
- ELECTION DISTRICT: EIGHTH (8TH)
- COUNCILMANIC DISTRICT: FOURTH (4TH)
- EXISTING USE: GAS & GO FUEL STATION
- PROPOSED USE: GAS & GO FUEL STATION W/ CONVENIENCE STORE
- CENSUS TRACT: 4086.01
- WATERSHED: 24
- SUBWERSHED: 57
- ESTIMATED AVERAGE DAILY TRIPS: 750
- EXISTING IMPERVIOUS AREA: 12,283 SQ. FT.
- PROPOSED IMPERVIOUS AREA: 12,323 SQ. FT.
- TOTAL DISTURBED AREA: 14,924 SQ. FT.
- THE PUBLIC HEARING REQUIRED BY SECTION 26-127 AND BY THE B.C.Z.R. WILL BE COMBINED WITH THE PUBLIC HEARING HELD BY THE HEARING OFFICER ON THE DEVELOPMENT.
- MASS TRANSIT SERVICING THE AREA NEAR THE SITE: BUS NO. 9 AND LIGHT RAIL.
- THE SITE IS NOT WITHIN THE 100' FLOOD PLAIN.
- THERE ARE NO WETLANDS WITHIN THE SITE BOUNDARIES.
- THE SITE IS NOT A DESIGNATED AREA OF CRITICAL STATE CONCERN.
- THERE ARE NO ABANDONED FUEL SERVICE STATIONS WITHIN 1 MILE OF THE SITE.
- THE SITE IS EXEMPT FROM OPEN SPACE REQUIREMENTS.
- RESTROOMS ARE PROVIDED FOR CUSTOMERS PER SECTION 405.4.D.3.D.5.B OF THE B.C.Z.R.
- ACTUAL DISTURBED AREA TO BE DETERMINED AT THE TIME CONSTRUCTION DRAWINGS ARE PREPARED.

**PARKING**

- REQUIRED: 3 SPACES PER 1000 SQ. FT. FLOOR AREA OF C-STORE:  
(628 SQ. FT. X 3 SPACES) / 1000 = 1.9 = 2  
1 SPACE PER EMPLOYEE (2 EMPLOYEE X 1) = 2  
1 SPACE PER AIR/WATER UNIT X 1 = 1

**TOTAL PARKING REQUIRED: 5 SPACES**

PROVIDED: 5 SPACES (INCLUDING ONE HANDICAP SPACE)

**SITE ADDRESS**

EXXON STATION  
2111 YORK ROAD  
TIMONIUM, MARYLAND 21093

**REQUIRED SETBACKS**

BUILDING: FRONT - 35 FEET  
SIDE/REAR - 30 FEET  
CANOPY: 15 FEET  
PUMP ISLANDS: 25 FEET

**SPECIAL HEARING AND VARIANCES REQUESTED**

- FROM SECTION 405.4.A.2.B TO PERMIT LANDSCAPE TRANSITION AREA OF FIVE (5) FEET WIDE IN LIEU OF THE REQUIRED TEN (10) FEET ALONG PUBLIC RIGHT-OF-WAY, AND ONE (1) FOOT WIDE IN LIEU OF THE REQUIRED SIX (6) FEET ALONG THE SIDE YARD.
- SIGN VARIANCE TO ALLOW MODIFICATION OF EXISTING 117.80 SQ. FT. 1.0. SIGN TO 138.48 SQ. FT. 1.0. SIGN IN LIEU OF THE ALLOWED 100 SQ. FT. FOR BOTH SIDES.
- FROM SECTION 405.4A.2A TO PERMIT 10' CANOPY SETBACK IN LIEU OF THE REQUIRED 15' CANOPY SETBACK.
- FROM SECTION 405.4A.2A TO PERMIT 20' PUMP ISLAND SETBACK IN LIEU OF THE REQUIRED 25' PUMP ISLAND SETBACK.
- FROM SECTIONS 405.4A.2A AND 239.2 TO PERMIT 23' BUILDING SETBACK IN LIEU OF THE REQUIRED 35' BUILDING SETBACK AND TO PERMIT 19' BUILDING SETBACK IN LIEU OF A 30' REAR YARD SETBACK.
- FROM SECTIONS 405.4A.1 AND 405.4D.2 TO PERMIT SITE AREA OF 14,924 S.F. INSTEAD OF THE REQUIRED 17,512 S.F.
- FROM SECTION 405.4A.3C(2) TO PERMIT ONE LESS STACKING SPACE THAN REQUIRED.
- PETITION FOR SPECIAL HEARING TO AMEND SPECIAL EXCEPTION CASE 82-52 SPHA TO ADD CONVENIENCE STORE ANCILLARY USE.

NOTE: PER LETTER DATED AUGUST 2, 1994 (DRC NO.: 080143, BC4), THIS PLAN IS EXEMPT FROM REQUIREMENTS OF A COMMUNITY INPUT MEETING AND A HEARING OFFICERS MEETING.

**OPEN SPACE**

SITE NOT REQUIRED TO MEET COUNTY OPEN SPACE REGULATIONS.

**LIGHTING**

LIGHTS ON SIGNS TO BE DIRECTED AWAY FROM RESIDENTIAL PROPERTY. LIGHT STANDARDS WILL NOT EXCEED 16'.

**LEGEND**

- (D) SIGN COMPONENTS KEY  
 (A) VARIANCE KEY  
 (3) PARKING SPACES  
 (F) FLOW OF TRAFFIC (NOT STRIPING)

OK EMD - Planning  
OK - Rjr 11/13  
OK FAH



**ZONING NOTES**

**A. ZONING STATUS**

- EXISTING ZONING: BR-CNS
- PROPOSED ZONING: BR-CNS

**B. ZONING HISTORY**

- CASE #3049

**REQUESTS FOR PETITION FOR RECLASSIFICATION OF PARCEL FROM A "RESIDENCE ZONE TO A COMMERCIAL ZONE, AND FOR SPECIAL PERMIT TO USE PROPERTY FOR GASOLINE SERVICE STATION BOTH REQUESTS GRANTED ON JULY 27, 1984 SUBJECT TO APPROVAL OF BUILDING AND PUMP ISLAND SETBACKS BY SRC AND ECHD.**

**2. SPECIAL HEARING AND VARIANCE CASE 82-52-SPHA TO AMEND CASE NO. 3049 TO CONVERT FUEL-SERVICE GAS STATION TO GAS-AND-GO OPERATION (SPECIAL HEARING) AND TO PERMIT SIDEYARD SETBACK OF ONE FOOT INSTEAD OF THIRTY FEET. THE SPECIAL HEARING AND VARIANCE WAS GRANTED ON 12-10-81 WITH THE FOLLOWING RESTRICTIONS: A. OUTDOOR LIGHTING TO BE CONTROLLED TO MINIMIZE ILLUMINATION BEYOND PROPERTY LINES; B. COMPLIANCE WITH MDT, DPL, AND HEALTH DEPARTMENT COMMENTS; AND C. SUBMISSION OF REVISED SITE PLAN SHOWING LANDSCAPING AND COMPLIANCE WITH A AND B ABOVE.**

**C. AREA REQUIREMENTS**

**1. REQUIRED AREA: 15,000 S.F.**

**2. ANCILLARY USES**

CONVENIENCE STORE: 628 SQ. FT. (RETAIL AREA) X 4 = 2,512 SQ. FT.

**3. TOTAL SITE AREA**

A. REQUIRED: 17,512 SQ. FT.

B. PROVIDED: 14,924 SQ. FT.

**D. PROPOSED ACCESS POINTS**

ONE (1) ENTRANCE (EXISTING 28' WIDE) ON YORK ROAD - MARYLAND ROUTE 45 AND ONE (1) PROPOSED ENTRANCE ON GERARD AVENUE. EXISTING 24' ENTRANCE ON YORK ROAD TO BE REMOVED PER S.H.A. REQUEST.

**MARYLAND ROUTE 45-YORK ROAD**

RIGHT OF WAY WIDTH VARIES (91' MINIMUM FRONTING SITE)  
STATE HIGHWAY ADMINISTRATION PLAT NO. 42183 DEED: EHX, JR 5551/175

**OWNER**  
EDITH L. PRICE  
TRUSTEE OF THE REVOCABLE TRUST  
3930 DANCE MILL ROAD  
PHOENIX, MARYLAND 21131

**DEVELOPER/APPLICANT**  
**EXXON COMPANY, U.S.A.**  
6301 IVY LANE  
SUITE 700  
GREENBELT, MARYLAND 20770  
PHONE: 1(301)513-7511  
ATTN: MR. MIKE SPECHT

**FREDERICK WARD ASSOCIATES INC.**  
ENGINEERS ARCHITECTS SURVEYORS  
5 SOUTH MAIN STREET  
(410) 838-7900

**DATE**  
**REVISIONS**  
**BY**  
**CHK.**  
**EXXON COMPANY, U.S.A.**  
Marketing Department  
DATE: 03/21/1995  
DRAWN BY: JDN  
CHK. BY: JBC  
SCALE: 1" = 10'

**SPECIAL HEARING AND VARIANCE PLAN**  
FOR AN EXXON STATION AT  
2111 YORK ROAD  
TIMONIUM, MARYLAND 21093

**ZADM NUMBER**  
VIII-638  
**PROJECT NO.**  
93392.01  
**DISC. NO.**  
**RAS. NO.**  
2-5603  
**DWG. NO.**  
02 OF 04